



ORDER BELOW EXH.18.

(CNR No. MHWS02000691-2024)

Read the application and say. Perused the record.

2] Through this application defendant has prayed for grant of permission to file written statement on record.

The plaintiff on the other hand resisted the application and submitted that no reason as to why delay caused and written statement could not be filed within stipulated period has been given by the defendant. Hence, they have submitted for the rejection of application.

3] I have perused the record. Present suit is filed for specific performance of contract or in the alternative for refund of amount. The defendant has appeared in the matter in the month of February 2025. It is pertinent to note that order to proceed without written statement is yet to be passed against defendant. The defendant has already filed his written statement on dated 11/06/2025. As per the settled position of law defendant has right to defend the case and he cannot be deprived of said right. So also it is always desirable to decide the matter on merit by giving opportunity to both the parties. Hence, in such circumstances considering the nature of the matter, in order to decide the suit on merit and to avoid multiplicity of litigations, it is just and proper to permit the defendant to file his written statement on record. Hence, in view of above discussion I proceed to pass the following order -

ORDER

Application Exh.18 is allowed in the interest of justice.

Washim

Date - 08/08/2025.

(Smt. P V. Rane)

Civil Judge (Sr. Div.), Washim.

C E R T I F I C A T E

I affirm that the contents of this PDF file judgment/order are same word to word, as per original judgment/order.

- 1) Name of Stenographer :- S. P. Kale (Stenographer G-III)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 08/08/2025
- 4) Order signed by the
presiding officer on :- 08/08/2025
- 5) Order uploaded on :- 11/08/2025